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**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants: Gao et al.

Serial No.: 09/909,691

Filed: July 20, 2001

For: SELF-EMULSIFYING DRUG  
DELIVERY SYSTEMS FOR  
EXTREMELY WATER-INSOLUBLE,  
LIOPHILIC DRUGS

Group Art Unit: 1615

**Examiner:** L. S. Channavajjala

I hereby certify that this paper is being deposited with the United States Postal Service, first class postage prepaid, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

February 5, 2004

  
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Mark H. Izraelewicz  
Reg. No. 47,678

## **NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the examiner dated September 5, 2003, finally rejecting claims 1-4, 6-20, and 25-27.

Our check in the amount of \$330 to cover the fee required under 37 CFR § 1.17(b) is submitted herewith.

This paper is timely filed as it is accompanied by a petition under 37 C.F.R. § 1.136(a) to file in the third month along with our check in the amount of \$420.00 to cover the fee required for a two month extension of time under 37 C.F.R. § 1.17(a)(2).

Any additional required fee may be charged to our Deposit Account No. 13-2855.  
Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

By:   
Mark H. Izraelewicz  
Reg. No. 47,678  
Attorneys for Applicants

February 5, 2004

6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
(312) 474-6300

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